

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WINSTON BURT,

Defendant.

NO. CR23-066-JHC

PRELIMINARY ORDER OF
FORFEITURE

THIS MATTER comes before the Court on the United States' Motion for Preliminary Order of Forfeiture ("Motion"), Dkt. # 50, seeking to forfeit, to the United States, Defendant Winston Burt's interest in the following property ("Subject Property"):

- a. \$24,164.00 in United States currency, seized on or about December 1, 2022, from 6010 North 32nd Ave., Phoenix, Arizona;
- b. \$48,100.00 in United States currency seized from Defendant on or about April 26, 2023; and
- c. One Glock 27 .40 caliber handgun bearing serial number ACWD881 and any associated ammunition (the "Glock 27").

The Court, having reviewed the United States' Motion, as well as the other papers

1 and pleadings filed in this matter, hereby FINDS entry of a Preliminary Order of
2 Forfeiture is appropriate for the following reasons:

3 1. The Subject Property is forfeitable pursuant to 18 U.S.C. § 1594(d), as
4 property constituting or derived from any proceeds that the Defendant Burt obtained,
5 directly or indirectly, or that was used or intended to be used to commit or facilitate, his
6 commission of *Sex Trafficking of an Adult Female (AF1) by Force, Fraud and Coercion*,
7 in violation of 18 U.S.C. § 1591(a)(1) and 1591(b)(1);

8 2. The Glock 27 is also forfeitable pursuant 18 U.S.C. § 924(d)(1), by way of
9 28 U.S.C. § 2461(c), as a firearm and ammunition involved in or used in Defendant
10 Burt's commission of *Unlawful Possession of a Firearm*;

11 3. In the Plea Agreement he entered on October 24, 2024, Defendant Burt
12 agreed to forfeit his interest in the Subject Property pursuant to 18 U.S.C. § 1594(d).
13 Dkt. No. 46 ¶ 14; and

14 4. In the Plea Agreement he entered on October 24, 2024, Defendant Burt
15 agreed to forfeit his interest in the Glock 27 pursuant to 18 U.S.C. § 924(d)(1), by way of
16 28 U.S.C. § 2461(c). Dkt. No. 46 ¶ 14.

17
18 NOW, THEREFORE, THE COURT ORDERS:

19 1. Pursuant to 18 U.S.C. § 1594(d), and Defendant Burt's Plea Agreement,
20 Defendant Burt's interest in the Subject Property is fully and finally forfeited, in its
21 entirety, to the United States;

22 2. Pursuant to 18 U.S.C. § 924(d)(1), by way of 28 U.S.C. § 2461(c), and
23 Defendant Burt's Plea Agreement, Defendant Burt's interest in the Glock 27 is fully and
24 finally forfeited, in its entirety, to the United States;

25 3. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)–(B), this Preliminary Order will
26 be final as to Defendant Burt at the time he is sentenced, it will be made part of the
27 sentence, and it will be included in the judgment;

1 4. The Department of Justice, Federal Bureau of Investigations, and/or its
2 authorized agents or representatives shall maintain the Subject Property in its custody and
3 control until further order of this Court;

4 5. Pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n), the
5 United States shall publish notice of this Preliminary Order and its intent to dispose of the
6 Subject Property as permitted by governing law. The notice shall be posted on an official
7 government website – currently www.forfeiture.gov – for at least thirty (30) days. For
8 any person known to have alleged an interest in the property, the United States shall, to
9 the extent possible, provide direct written notice to that person. The notice shall state that
10 any person, other than the Defendant, who has or claims a legal interest in the property
11 must file a petition with the Court within sixty (60) days of the first day of publication of
12 the notice (which is thirty (30) days from the last day of publication), or within thirty (30)
13 days of receipt of direct written notice, whichever is earlier. The notice shall advise all
14 interested persons that the petition:

- 15 a. shall be for a hearing to adjudicate the validity of the petitioner's
16 alleged interest in the property;
17 b. shall be signed by the petitioner under penalty of perjury; and,
18 c. shall set forth the nature and extent of the petitioner's right, title, or
19 interest in the property, as well as any facts supporting the
20 petitioner's claim and the specific relief sought.

21 6. If no third-party petition is filed within the allowable time period, the
22 United States shall have clear title to the property, and this Preliminary Order shall
23 become the Final Order of Forfeiture as provided by Fed. R. Crim. P. 32.2(c)(2);

24 7. If a third-party petition is filed, upon a showing that discovery is necessary
25 to resolve factual issues it presents, discovery may be conducted in accordance with the
26 Federal Rules of Civil Procedure before any hearing on the petition is held. Following
27 adjudication of any third-party petitions, the Court will enter a Final Order of Forfeiture,

1 pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n), reflecting that
2 adjudication; and,

3 8. The Court will retain jurisdiction for the purpose of enforcing this
4 Preliminary Order, adjudicating any third-party petitions, entering a Final Order of
5 Forfeiture, and amending the Preliminary Order or Final Order as necessary pursuant to
6 Fed. R. Crim. P. 32.2(e).

7 IT IS SO ORDERED.

8 DATED this 3rd day of March, 2025.

9
10
11 

12 JOHN H. CHUN

13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27